

Guardianship Program Rules

708 Voluntary Surrender of Certification

708.1 A CPG or Agency may voluntarily surrender certification by notifying the Board in writing of the date the surrender is to be effective and by complying with the requirements of this regulation. AOC staff is authorized to grant voluntarily surrender status to CPGs or Agencies that qualify under these Regulations. AOC staff denials to voluntarily surrender status request must be reviewed and approved by the Certification and Application Committee. (Adopted 11-12-01) (Amended 1-13-03)

708.2 The surrender of certification shall not be effective until the CPG or Agency has met the following requirements:

708.2.1 Complied with all statutory and court-ordered requirements for discharge from responsibilities as a guardian in each case in which the CPG or Agency has been appointed, with the exception that a guardian who is not a member of the incapacitated person's family and who charges fees for carrying out the duties of court-appointed guardian may retain guardianship over two incapacitated persons;

708.2.2 Filed with the Board an affidavit or declaration signed under penalty of perjury stating:

708.2.2.1 Compliance with these requirements.

708.2.2.2 The address where communications may be directed to the former CPG or Agency, and acknowledging a requirement to keep their address current with the AOC for 36 months following surrender.

708.2.2.3 That after surrender of certification, the former CPG or Agency shall not accept any new clients or engage in work as a CPG or Agency unless recertified following the rules and regulations applicable to new applicants.

708.2.3 The CPG or Agency shall file the affidavit or declaration required by this regulation within sixty (60) calendar days of the date of the written notice to the Board of the intent to surrender certification.

708.3 Failure to file the affidavit or declaration required by this regulation or failure to comply with other statutory or court-ordered requirements regarding discharge from responsibilities as a guardian shall subject the CPG or Agency to revocation of certification.

708.4 The CPG or Agency may revoke the notice of intent to surrender certification by notifying the Board in writing.